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**1322-CC10083      ARTHUR WEINERS V. TARGET CORPORATION      Security Level: 1 Public**


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|---------------------|--------------------------|--------------------------|-------------|
| <b>Case Type:</b>   | CC Pers Injury-Other     | <b>Case Filing Date:</b> | 05-Dec-2013 |
| <b>Status:</b>      | Pet Filed in Circuit Ct  |                          |             |
| <b>Disposition:</b> | <b>Disposition Date:</b> |                          |             |

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Release/Status Reason Change Date

|                              |                                       |
|------------------------------|---------------------------------------|
| Judge                        | PHILIP HEAGNEY (27434)                |
| Plaintiff                    | <b>ARTHUR WEINERS (WEIA*9168)</b>     |
| Attorney for Plaintiff       | IRWIN M ROITMAN(28219)                |
| Defendant                    | <b>TARGET CORPORATION (TARGET120)</b> |
| Attorney for Defendant       | JOHN A MICHENER(22509)                |
| Co-Counsel for the Defendant | BRIAN RICHARD SHANK(59955)            |

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| <u>Filing Date</u> | <u>Description</u>   |
|--------------------|--|
| 12-Jun-2014        | <b>Judge/Clerk - Note</b><br>Entire File certified for Brian Shank   |
| 01-May-2014        | <b>Order</b><br>DEFENDANT TARGET'S MOTION TO COMPEL IS CALLED AND GRANTED BY CONSENT OF PLAINTIFF. PLAINTIFF TO ANSWER DISCOVERY AND PRODUCE DOCUMENTS WITHIN THIRTY (30) DAYS. SO ORDERED: JUDGE ROBERT DIERKER 23671   |
| 14-Apr-2014        | <b>Notice of Hearing Filed</b><br>Notice of Hearing; Electronic Filing Certificate of Service.<br><b>Filed By:</b> JOHN A MICHENER<br><b>Filed By:</b> TARGET CORPORATION<br><br><b>Motion to Compel</b><br>Motion to Compel; Electronic Filing Certificate of Service.<br><b>Filed By:</b> JOHN A MICHENER<br><b>Filed By:</b> TARGET CORPORATION   |
| 06-Feb-2014        | <b>Cert Serv of Interrog Filed</b><br>Certificate of Service - Target discovery to Plaintiff; Electronic Filing Certificate of Service.<br><b>Filed By:</b> JOHN A MICHENER<br><b>Filed By:</b> TARGET CORPORATION<br><br><b>Answer Filed</b><br>Target Answer to Petition; Electronic Filing Certificate of Service.<br><b>Filed By:</b> JOHN A MICHENER<br><b>Filed By:</b> TARGET CORPORATION<br><br><b>Entry of Appearance Filed</b><br>Entry of Appearance - E&D for Target; Electronic Filing Certificate of Service.<br><b>Filed By:</b> JOHN A MICHENER<br><b>Filed By:</b> TARGET CORPORATION |
| 31-Jan-2014        | <b>Corporation Served</b><br>Document ID - 14-SMCC-970; Served To - TARGET CORPORATION; Server - ; Served Date - 31-JAN-14; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served   |

Case continued from previous page.

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**1322-CC10083 ARTHUR WEINERS V. TARGET CORPORATION** **Security Level: 1 Public**

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- 27-Jan-2014 **Alias Summons Issued**  
Document ID: 14-SMCC-970, for TARGET CORPORATION.  
**Service/Attempt Date:** 31-Jan-2014
- 24-Jan-2014 **Alias Summons Requested**  
alias summons request.  
**Filed By:** IRWIN M ROITMAN
- 17-Dec-2013 **Jury Trial Scheduled**  
**Scheduled For:** 28-Jul-2014; 9:00 AM; PHILIP HEAGNEY; **Setting:** 0; City of St. Louis
- 10-Dec-2013 **Alias Summons Issued**  
Document ID: 13-SMCC-23315, for TARGET CORPORATION.
- 06-Dec-2013 **Note to Clerk eFiling**  
**Filed By:** IRWIN M ROITMAN  
  
**Alias Summons Requested**  
Service Memorandum.  
**Filed By:** IRWIN M ROITMAN  
**Filed By:** ARTHUR WEINERS  
  
**Judge/Clerk - Note**  
summons not issued due to attorney failed to provide address for service on defendant
- 05-Dec-2013 **Filing Info Sheet eFiling**  
**Filed By:** IRWIN M ROITMAN  
  
**Pet Filed in Circuit Ct**  
PETITION PERSONAL INJURY.  
**Filed By:** IRWIN M ROITMAN  
**Filed By:** ARTHUR WEINERS  
  
**Judge Assigned**

6

MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
(CITY OF ST. LOUIS)

FILED

MAY 01 2014

ARTHUR Werwies

VS

22ND JUDICIAL CIRCUIT  
CIRCUIT CLERK'S OFFICE  
BY DEPUTY

Target Corporation

CASE NO. 1322-PC100F3 DIVISION 18

ENTERED

MAY 1 2014

ORDER/JUDGMENT/MEMORANDUM

SR

Defendant Target's Motion to Compel is called and granted by consent of plaintiff. Plaintiff to ~~not~~ answer discovery & produce documents within thirty (30) days.

So ordered:  
RJ

Jewell M. Roerman  
May 1 2014

Bethany W. Parker  
SAC GLOMIZ. ADLER  
Brenda O'Dell 59855  
for a Target 552-4051

IN THE CIRCUIT COURT  
FOR THE CITY OF ST. LOUIS  
STATE OF MISSOURI

ARTHUR WEINERS, )  
Plaintiff, )  
v. ) Cause No. 1322-CC10083  
TARGET CORPORATION, ) Division No.: 1  
Defendant. )

**NOTICE OF HEARING**

TO: Mr. Irwin Roitman  
222 South Central Avenue, Suite 207  
St. Louis, Missouri 63105

**YOU ARE HEREBY NOTIFIED** that defendant Target Corporation will call up for hearing its Motion to Compel at 9:00 a.m. on Thursday, the 1<sup>st</sup> day of May, 2014, in the Circuit Court For the City of St. Louis, Division 18, or as soon thereafter as counsel may be heard.

Respectfully submitted,  
**EVANS & DIXON, L.L.C.**

  
John A. Michener, (#22509)  
Brian R. Shank (#59955)  
Attorneys for Defendant Target  
211 North Broadway, Suite 2500  
St. Louis, MO 63102  
Telephone: 314-552-4022  
Fax: 314-884-4422  
[jmichener@evans-dixon.com](mailto:jmichener@evans-dixon.com)  
[bshank@evans-dixon.com](mailto:bshank@evans-dixon.com)

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this instrument was provided by electronic filing and/or emailed on this 17 day of April, 2014, to: Mr. Irwin M. Roitman ([berlinwallpaper@sbcglobal.net](mailto:berlinwallpaper@sbcglobal.net)), Irwin M. Roitman, LLC, 8008 Carondelet Avenue, St. Louis, Missouri 63105, attorneys for plaintiff.



2859940

**IN THE CIRCUIT COURT  
FOR THE CITY OF ST. LOUIS  
STATE OF MISSOURI**

ARTHUR WEINERS, )  
Plaintiff, )  
v. ) Cause No. 1322-CC10083  
TARGET CORPORATION, ) Division No.: 1  
Defendant. )

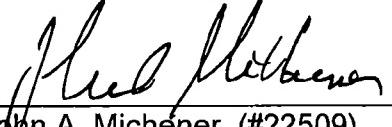
**MOTION TO COMPEL**

Comes now defendant Target Corporation, and hereby moves this court to compel plaintiff to respond to interrogatories and document requests. As grounds in support of this motion, defendant states as follows:

1. That it previously propounded interrogatories and document requests to plaintiff on or about February 6, 2014.
2. That defendant has received no responses.
3. That defendant has need of these responses in order to defend the case and prepare for trial.
4. That defendant has reminded plaintiff's counsel of this discovery, and requested responses. See letter attached as Exhibit A.

WHEREFORE, defendant prays that plaintiff be compelled to promptly and fully answer interrogatories; to file a formal response to defendant's document requests; to produce the documents requested; and for such other relief as the court may deem appropriate.

Respectfully submitted,  
**EVANS & DIXON, L.L.C.**



John A. Michener, (#22509)  
Brian R. Shank (#59955)  
Attorneys for Defendant Target  
211 North Broadway, Suite 2500  
St. Louis, MO 63102  
Telephone: 314-552-4022  
Fax: 314-884-4422  
jmichener@evans-dixon.com  
bshank@evans-dixon.com

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this instrument was provided by electronic filing and/or emailed on this 14 day of April, 2014, to: Mr. Irwin M. Roitman ([berlinwallpaper@sbcglobal.net](mailto:berlinwallpaper@sbcglobal.net)), Irwin M. Roitman, LLC, 8008 Carondelet Avenue, St. Louis, Missouri 63105, attorneys for plaintiff.



2859588

# EVANS & DIXON<sup>LLC</sup>

ATTORNEYS AT LAW

Metropolitan Square | 211 North Broadway, Suite 2500 | St. Louis, Missouri 63102  
(314) 621-7755 | Fax (314) 621-3136

*John A. Michener*  
Civil Litigation  
Direct Phone: 314-552-4022  
Direct Fax: 314-884-4422  
[jmichener@evans-dixon.com](mailto:jmichener@evans-dixon.com)

April 14, 2014

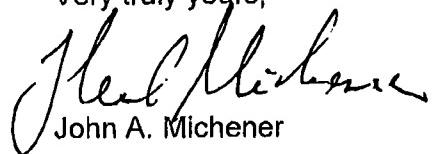
Mr. Irwin Roitman  
Attorney at Law  
8008 Carondelet Avenue  
St. Louis, Missouri 63105

**RE: Arthur Weiners v. Target Corporation**

Dear Irwin:

We had sent you interrogatories and document requests back on February 4<sup>th</sup>. I don't believe they have been answered. Could you please respond promptly?

Very truly yours,



John A. Michener

JAM:mm\2869584

St. Louis  
Springfield (417) 882-4700 | Kansas City (816) 472-4600  
[www.evans-dixon.com](http://www.evans-dixon.com)

**EXHIBIT**

A

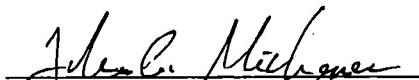
IN THE CIRCUIT COURT  
FOR THE CITY OF ST. LOUIS  
STATE OF MISSOURI

ARTHUR WEINERS, )  
Plaintiff, )  
v. ) Cause No. 1322-CC10083  
TARGET CORPORATION, ) Division No.: 1  
Defendant. )

CERTIFICATE OF SERVICE

Comes now defendant and hereby certifies that one paper copy of defendant's First Set of Interrogatories to Plaintiff and defendant's First Request for Production Directed to Plaintiff were emailed and mailed first class postage prepaid, on this 6 day of February, 2014, to: Mr. Irwin M. Roitman ([berlinwallpaper@sbcglobal.net](mailto:berlinwallpaper@sbcglobal.net)), 8008 Carondelet Avenue, St. Louis, Missouri 63105, attorney for plaintiff.

Respectfully submitted,  
**EVANS & DIXON, L.L.C.**

  
John A. Michener, (#22509)  
Brian R. Shank (#59955)  
211 North Broadway, Suite 2500  
St. Louis, MO 63102  
Telephone: 314-552-4022  
Fax: 314-884-4422  
[jmichener@evans-dixon.com](mailto:jmichener@evans-dixon.com)  
[bshank@evans-dixon.com](mailto:bshank@evans-dixon.com)

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this instrument was provided by electronic filing and/or emailed on this 6 day of February, 2014, to: Mr. Irwin M. Roitman ([berlinwallpaper@sbcglobal.net](mailto:berlinwallpaper@sbcglobal.net)), Irwin M. Roitman, LLC, 8008 Carondelet Avenue, St. Louis, Missouri 63105, attorneys for plaintiff.

  
\_\_\_\_\_  
Irwin M. Roitman

2126184

IN THE CIRCUIT COURT  
FOR THE CITY OF ST. LOUIS  
STATE OF MISSOURI

ARTHUR WEINERS, )  
Plaintiff, )  
v. ) Cause No. 1322-CC10083  
TARGET CORPORATION, ) Division No.: 1  
Defendant. )

**ANSWER**

Comes now defendant, and for its answer to plaintiff's petition, states as follows:

1. Defendant is without sufficient knowledge or information to form a belief as to the allegations of paragraph 1, and those allegations are therefore denied.
2. Defendant admits the allegations contained in paragraph 2.
3. Defendant admits that it operates a store at or near Hampton Village in St. Louis, Missouri, but otherwise denies the allegations of paragraph 3.
4. Defendant is without sufficient knowledge or information to form a belief as to the allegations of paragraph 4, and those allegations are therefore denied.
5. Defendant denies the allegations contained in paragraph 5.
6. Defendant denies the allegations contained in paragraph 6.
7. Defendant denies the allegations contained in paragraph 7.
8. Defendant denies the allegations contained in paragraph 8.
9. Defendant denies the allegations contained in paragraph 9.
10. Defendant denies the allegations contained in paragraph 10.

11. For its defense, defendant states that any injuries or damages plaintiff may have sustained were caused by his own negligence or fault contributing directly thereto. If any verdict is entered against Target, then the jury should also assess a percentage of fault to plaintiff, and any verdict should be reduced accordingly.

12. For its further defense, defendant states that if there is any verdict against it, but it is assessed less than 51% of the total fault, then it is only liable for its assessed percentage of fault, pursuant to Missouri Revised Statutes 537.067.

13. For its further defense, defendant states that if plaintiff has received money or other compensation from or on behalf of any person or entity liable or who may be claimed to be liable for plaintiff's injuries or damages arising from the incident mentioned in plaintiff's petition, defendant is entitled to a credit and set-off in the amount of that payment or the amount the person or entity agreed to pay, against any verdict or judgment that may be entered against it, pursuant to Missouri Revised Statutes 537.060.

14. For its further defense, defendant states that plaintiff has failed to mitigate his damages.

WHEREFORE, defendant prays to be dismissed hence, together with its proper costs, and for such other relief as the court may deem appropriate.

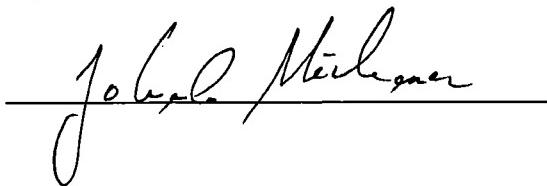
Respectfully submitted,  
**EVANS & DIXON, L.L.C.**



John A. Michener, (#22509)  
Brian R. Shank (#59955)  
Attorneys for Defendant Target  
211 North Broadway, Suite 2500  
St. Louis, MO 63102  
Telephone: 314-552-4022  
Fax: 314-884-4422  
jmichener@evans-dixon.com  
bshank@evans-dixon.com

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this instrument was provided by electronic filing and/or emailed on this 6 day of February, 2014, to: Mr. Irwin M. Roitman (berlinwallpaper@sbcglobal.net), Irwin M. Roitman, LLC, 8008 Carondelet Avenue, St. Louis, Missouri 63105, attorneys for plaintiff.



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2826154

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI

ARTHUR WEINERS,

Plaintiff,

vs.

TARGET CORPORATION,

Defendant.

)  
Case No. 1322-CC10083

**ENTRY OF APPEARANCE**

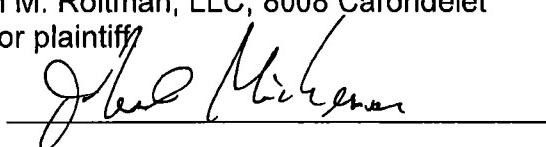
COME NOW Evans & Dixon, LLC, John A. Michener, and Brian R. Shank, and hereby enter their appearance as attorneys on behalf of Defendant Target Corporation.

Respectfully submitted,  
**EVANS & DIXON, L.L.C.**

  
John A. Michener, (#22509)  
Brian R. Shank (#59955)  
Attorneys for Defendant  
211 North Broadway, Suite 2500  
St. Louis, MO 63102  
Phone: 314-552-4022  
Fax: 314-884-4422  
[jmichener@evans-dixon.com](mailto:jmichener@evans-dixon.com)  
[bshank@evans-dixon.com](mailto:bshank@evans-dixon.com)

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this instrument was provided by electronic filing and/or emailed on this 6 day of February, 2014, to: Mr. Irwin M. Roitman ([berlinwallpaper@sbcglobal.net](mailto:berlinwallpaper@sbcglobal.net)), Irwin M. Roitman, LLC, 8008 Carondelet Avenue, St. Louis, Missouri 63105, attorneys for plaintiff





**IN THE 22ND JUDICIAL CIRCUIT COURT OF CITY OF ST LOUIS, MISSOURI**

SB  
2/26

2014 FEB 10 AM 10:23  
(Date Filed Stamp)

|  |   |
|--|---|
| Judge or Division:<br><b>PHILIP HEAGNEY</b>    | Case Number: <b>1322-CC10083</b>  |
| Plaintiff/Petitioner:<br><b>ARTHUR WEINERS</b> | Plaintiff's/Petitioner's Attorney/Address<br><b>IRWIN M ROITMAN<br/>8008 CARONDELET<br/>SUITE 112<br/>CLAYTON, MO 63105</b> |
| vs.<br><b>TARGET CORPORATION</b>               | Court Address:<br><b>CIVIL COURTS BUILDING<br/>10 N TUCKER BLVD<br/>SAINT LOUIS, MO 63101</b>                               |
| Nature of Suit:<br><b>CC Pers Injury-Other</b> |   |

**ALIAS Summons in Civil Case**

The State of Missouri to: **TARGET CORPORATION**

Alias:

**CT CORPORATION SYSTEMS  
120 SOUTH CENTRAL AVE STE 400  
CLAYTON, MO 63105**

*30  
CT CORP*



You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

January 27, 2014

Date

*M. Jane Schweitzer*

M. Jane Schweitzer  
Circuit Clerk

*JAN 29 2014*

Further Information:

**Sheriff's or Server's Return**

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with the defendant's family over the age of 15 years.  
 (for service on a corporation) delivering a copy of the summons and a copy of the petition to *I hereby certify that on the date* JAN 31 2014 *in St. Louis County, at 120 S. Central Ave., I served* a copy of the summons and a copy of the petition to *CT CORP, THE CORP. CO.,* *the registered agent of the defendant, by leaving* a copy with B. Love, E. King, LCW - B. Raffell.

Served at \_\_\_\_\_  
in \_\_\_\_\_ (County) \_\_\_\_\_ (date) at \_\_\_\_\_  
(time) \_\_\_\_\_ (address) \_\_\_\_\_ (time)

Printed Name of Sheriff or Server \_\_\_\_\_ by \_\_\_\_\_  
 Must be sworn before Notary Public or an authorized officer \_\_\_\_\_  
 (Seal) Subscribed and sworn to before me on \_\_\_\_\_ (date)  
 My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public \_\_\_\_\_

**Sheriff's Fees, if applicable**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_ ( \_\_\_\_miles @ \$ \_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

*14-SMCC-1022*

*6/29/14*



**IN THE 22ND JUDICIAL CIRCUIT COURT OF CITY OF ST LOUIS, MISSOURI**

|  |   |
|--|---|
| Judge or Division:<br><b>PHILIP HEAGNEY</b>    | Case Number: <b>1322-CC10083</b>  |
| Plaintiff/Petitioner:<br><b>ARTHUR WEINERS</b> | Plaintiff's/Petitioner's Attorney/Address<br><b>IRWIN M ROITMAN<br/>8008 CARONDELET<br/>SUITE 112<br/>CLAYTON, MO 63105</b> |
| vs.<br><b>TARGET CORPORATION</b>               | Court Address:<br><b>CIVIL COURTS BUILDING<br/>10 N TUCKER BLVD<br/>SAINT LOUIS, MO 63101</b>                               |
| Nature of Suit:<br><b>CC Pers Injury-Other</b> | (Date File Stamp)   |

**ALIAS Summons in Civil Case**

The State of Missouri to: **TARGET CORPORATION**

Alias:

**CT CORPORATION SYSTEMS  
120 SOUTH CENTRAL AVE STE 400  
CLAYTON, MO 63105**



**CITY OF ST LOUIS**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

**January 27, 2014**

Date

M. Jane Schweitzer  
Circuit Clerk

Further Information:

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.
- (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

**Sheriff's Fees, if applicable**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_ ( \_\_\_\_ miles @ \$ . \_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

**CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI**

Arthur Weiners, )  
Plaintiff, )  
Vs. ) 1322-CC10083  
Target Corporation, )  
Defendant. )

**Service Memorandum**

Comes now Plaintiff, Arthur Weiners, by and through his attorney, and requests alias summons to issue on Registered Agent of Target Corporation, CT Corporation Systems, 120 S. Central Avenue, Clayton, MO 63105 (service to be made in St. Louis County, Missouri.)

S/S Irwin M. Roitman

Irwin M. Roitman LLC  
MBEN 28219  
Attorney for Plaintiff  
8008 Carondelet Avenue  
St. Louis, MO 63105  
314 863 0034 phone  
863 0024 facsimile  
[berlinwallpaper@sbcglobal.net](mailto:berlinwallpaper@sbcglobal.net)



**IN THE 22ND JUDICIAL CIRCUIT COURT OF CITY OF ST LOUIS, MISSOURI**

|  |   |
|--|---|
| Judge or Division:<br><b>PHILIP HEAGNEY</b>    | Case Number: <b>1322-CC10083</b>  |
| Plaintiff/Petitioner:<br><b>ARTHUR WEINERS</b> | Plaintiff's/Petitioner's Attorney/Address<br><b>IRWIN M ROITMAN<br/>8008 CARONDELET<br/>SUITE 112<br/>CLAYTON, MO 63105</b> |
| vs.<br><b>TARGET CORPORATION</b>               | Court Address:<br><b>CIVIL COURTS BUILDING<br/>10 N TUCKER BLVD<br/>SAINT LOUIS, MO 63101</b>                               |
| Nature of Suit:<br><b>CC Pers Injury-Other</b> | (Date File Stamp)   |

**Summons in Civil Case**

|   |   |                           |
|---|---|---------------------------|
| <b>The State of Missouri to:</b> <b>TARGET CORPORATION</b>                                  |   |                           |
| Alias: <b>CT CORPORATION SYSTEM<br/>120 SOUTH CENTRAL AVE STE 400<br/>CLAYTON, MO 63105</b> |   |                           |
| <b>COURT SEAL OF<br/>CITY OF ST LOUIS</b>   | <b>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</b> | <b>SAINT LOUIS COUNTY</b> |
| December 10, 2013<br>Date   | <br><b>M. Jane Schweitzer<br/>Circuit Clerk</b>   |                           |
| Further Information:  | <b>Sheriff's or Server's Return</b>   |                           |

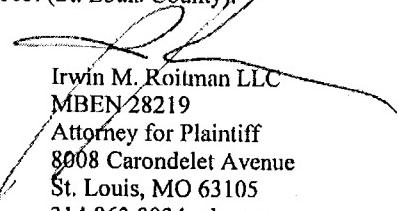
|   |   |
|---|---|
| Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  |   |
| I certify that I have served the above summons by: (check one)  |   |
| <input type="checkbox"/> delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.   |   |
| <input type="checkbox"/> leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years. |   |
| <input type="checkbox"/> (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).  |   |
| <input type="checkbox"/> other _____.   |   |
| Served at _____ (address)   |   |
| in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).   |   |
| Printed Name of Sheriff or Server<br><br>( <i>Seal</i> )  | Signature of Sheriff or Server<br><br>Must be sworn before a notary public if not served by an authorized officer:<br><br>Subscribed and sworn to before me on _____ (date).<br><br>My commission expires: _____ Date _____ Notary Public |
| <b>Sheriff's Fees, if applicable</b>  |   |
| Summons \$ _____  |   |
| Non Est \$ _____  |   |
| Mileage \$ _____ ( _____ miles @ \$ . _____ per mile)   |   |
| Total \$ _____  |   |
| A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.  |   |

**CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI**

Arthur Weiners, )  
Plaintiff, )  
Vs. ) 1322-CC10083  
Target Corporation, )  
Defendant. )

**SERVICE MEMORANDUM**

Summons to issue on Target Corporation: Registered Agent, CT Corporation System, 120 S. Central Avenue, Clayton, Missouri, 63105. (St. Louis County).

  
Irwin M. Roitman LLC  
MBEN 28219  
Attorney for Plaintiff  
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**CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI**

Arthur Weiners, ) No.  
Plaintiff, )  
Vs. )  
Target Corporation, )  
Defendant. )

**PETITION  
PERSONAL INJURY**

Comes now Plaintiff, Arthur Weiners, by and through his attorney, and for his Petition for personal injury, states:

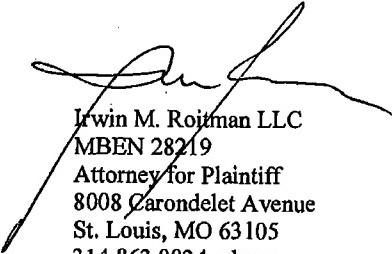
1. That Plaintiff at all times relevant hereto was resident of the City of St. Louis, State of Missouri.
2. That Defendant Target Corporation is a foreign corporation authorized to do business in the State of Missouri.
3. That at all times relevant herein, Defendant Target owned and operated a retail business at the Hampton Village Shopping Center within the City of St. Louis, Missouri.
4. That on December 16, 2008, Plaintiff, as an invitee of the Defendant's business, parked his car on Defendant Targets' parking lot, alighted therefrom and proceeding to the entrance of Defendant's retail store.
5. That Plaintiff, having traversed the parking lot by foot, stepped onto the curb of the sidewalk of Defendant's retail store.
6. That prior to the injury of which Plaintiff complains here, Defendant Target permitted the accumulation of ice and snow on the curb of its' parking lot.
7. That Defendant Target knew, or in the exercise of reasonable care should have known that the accumulation of ice and snow on the curb would create an unreasonable risk of injury to persons stepping from the parking lot to the

sidewalk unless the sidewalk was also cleared of ice and snow as was the parking lot.

8. That on December 16, 2008, Plaintiff walked from the parking lot to curb of the sidewalk and fell and tripped on the curb that was covered with snow and ice. That in falling, Plaintiff sustained the following injuries: scalene lumbar strain, cervical Para scapular strain; and other personal injuries to his body.
9. That Defendant Target Corporation, in failing to clear ice and snow from the curb constituted the proximate cause of Plaintiff's injuries.
10. That the above-described injuries were caused solely and proximately by Defendant Target Corporation's negligence and without any contributory negligence on the part of Plaintiff.

**WHEREFORE**, Plaintiff requests judgment against Defendant Target Corporation as follows:

1. General damages according to proof;
2. Medical and related damages according to proof;
3. Damages for lost income according to proof;
4. Costs of suit; and
5. Such other and further relief as the court deems just and proper.



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STATE OF MISSOURI )  
                       )ss  
CITY OF ST. LOUIS )

I, M. JANE SCHWEITZER, Clerk of the Circuit Court within  
and for the City of St. Louis, State of Missouri, do hereby certify that  
the foregoing are true copies of original documents on files and  
recorded in my office for the following case  
**ENTIRE FILE AND DOCKET SHEETS**

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**St. Louis City case number 1322-CC10083**

**WITNESS my hand and SEAL of said Court this 12<sup>TH</sup> day of  
JUNE , 2014 .**



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**M. Jane Schweitzer  
Circuit Clerk**

By:   
**Michelle Pappas  
Deputy Clerk**



SEAL of the CIRCUIT COURT